

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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FRANCES M. WEEKS-ANDEREGG,

Plaintiff,

vs.

UNITED STATES OF AMERICA, *et al.*,

Defendants.

2:13-cv-00610-GMN-VCF

**MINUTE ORDER**

On September 30, 2013, Robert Cardenas filed Plaintiff's Unopposed Motion to Vacate Hearing and Stay Discovery. (#28).

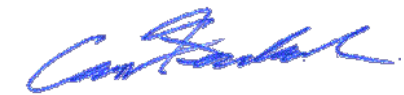
Having reviewed this motion and the other motions pending in this matter, I find that vacating the hearing set on Defendant's Motion to Stay Discovery (#7), presently set for 2:00 p.m. on Friday, October 4, 2013, in Courtroom 3D, is not in the best interests of the parties or the court.

Accordingly, Plaintiff's Unopposed Motion to Vacate Hearing and Stay Discovery is DENIED.

Counsel must personally appear at Friday's hearing and be prepared to present arguments regarding how this case should proceed in light of:

1. 28 U.S.C. § 2679(d)(5) which addresses the consequences of dismissal for failure to first present a claim pursuant to section 2675(a); and
2. Section II B of the U.S. Supreme Court's opinion in *Osborn v. Haley*, 549 U.S. 225, 127 S. Ct. 891, 166 L.ed.2d 819(2007).

DATED this 1st day of October, 2013.



CAM FERENBACH  
UNITED STATES MAGISTRATE JUDGE